



OFFICE OF THE VICE PRESIDENT

WASHINGTON

May 16, 2001

The Honorable Anthony Gamboa
General Counsel
General Accounting Office
441 G Street NW
Washington, D.C. 20548

Dear Mr. Gamboa:

This letter is in response to a Fax Transmittal Sheet dated May 8, 2001 (Attachment 1) from Ms. Margaret J. Reese, Assistant Director for Natural Resources and Environment, of the U.S. General Accounting Office (GAO). The Transmittal Sheet asked to interview officials of the National Energy Policy Development Group (i.e., the Vice President, heads of Executive departments and agencies, and assistants to the President) and the Group's support staff, and attached a list of requests for information and copies of documents and phone records. The Transmittal sheet did not indicate the purpose and scope of the inquiry, nor did it contain a statement of the legal authority under which GAO inquired.

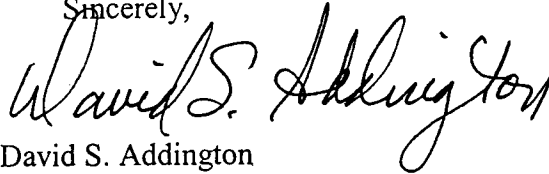
As a matter of comity between the legislative and executive branches, with due regard for the constitutional separation of powers and the rights of Americans to petition their government, and reserving all legal authorities and privileges that may apply, I am pleased to forward to GAO the enclosed copy of a letter of May 4, 2001 (Attachment 2) that answers an extensive series of questions posed by Members of Congress (Attachment 3) on the subject of the NEPDG.

The Fax Transmittal Sheet states that the GAO intent is "to review the composition and workings of the President's Energy Policy Development Group." That expression of intent indicates of necessity that GAO, a part of the legislative branch, seeks to inquire into the exercise of the authorities committed to the Executive by the Constitution, including the authority to "require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices," to "take Care that the Laws be faithfully executed," and, with respect to Congress, to "recommend to their Consideration such Measures as he shall judge necessary and expedient." It appears that the GAO may intend to intrude into the heart of Executive deliberations, including deliberations among the President, the Vice President, members of the President's Cabinet, and the President's immediate assistants, which the law protects to ensure the candor in Executive deliberations necessary to effective government.

Please ask the Comptroller General to examine whether proceeding with the proposed inquiry is appropriate, in compliance with the law, and, especially in light of the information already provided as a matter of comity, a productive use of resources. We urge that, after considering those factors, he not proceed with the proposed inquiry. If the Comptroller General should decide that he wishes to initiate an inquiry, please send a statement of the legal authority for the GAO inquiry, including with regard to the Vice President and his staffs, and a description of its purpose and scope, to aid in determining at that point how best to proceed.

Thank you for your assistance with this sensitive matter.

Sincerely,

A handwritten signature in black ink, reading "David S. Addington". The signature is fluid and cursive, with the first name "David" being the most prominent.

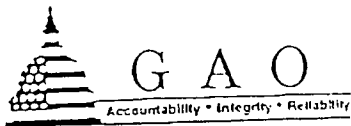
David S. Addington
Counsel to the Vice President

cc: Chairman and Ranking Minority Member
Committee on Energy and Commerce
House of Representatives

Chairman and Ranking Minority Member
Committee on Government Reform
House of Representatives

ATTACHMENT 1

Fax Transmittal Sheet



To: (Name and Address)

David Addington
Counsel to the Vice President

Telephone No. 456-9089

Fax Telephone No. 202-456-6429

Date 5/8/01

From: (Name and Address)

Peg Reese
Assistant Director
Natural Resources and Environment

Telephone No. (202) 512-9695

Fax Telephone No. (202) 512-8354

Date

Subject:

GAO's Request

Additional Information

David,

As you know, GAO has been requested by Rep. Dingell and Waxman to review the composition and workings of the President's Energy Policy Development Group. In doing our work, we will need to interview officials and staff from this group as well as other knowledgeable officials. We will also need to obtain relevant documents. As we discussed, we hope to begin work immediately and thus would like to arrange an initial meeting for Friday, Monday afternoon, or Tuesday at your convenience. Attached is a series of specific questions that we have been asked to provide.

Please give me a call at 512-9695. We look forward to working with you.

Acknowledgement Requested

1. ☐ Yes ☒ No2. 2 pages, including this cover sheet, are being transmitted.

3. If pages are not received, call _____

- 1) A complete list of all task force members and staff, including name, title, office, or employer represented. In addition:
 - a) please identify each member or staff who is not a full-time employee of the federal government and cite the hours per week that person works for the federal government and date on which that person began working for the federal government;
 - b) please identify each task force member or staff who, at the time of any task force meeting, was serving as a contractor to, or temporary full-time employee of, the federal government while on leave from non-federal employment. For each member or staff identified, please include the name of that person's non-federal employer and the dates on which that person began working for the federal government and ceased receiving remuneration from their non-federal job.
- 2) A complete list of all task force meetings held, including the date, location, and duration of each meeting.
- 3) An accounting of the statutory authorities, regulations, rules, and guidelines pursuant to which the task force was organized and conducts its business.
- 4) For each task force meeting that has occurred to date, a complete accounting of all attendees at each meeting. Please include the name of each attendee as well as the name of each person's employer and the name of all clients represented by each person for the purpose of any particular task force meeting.
- 5) Copies of all notices of task force meetings provided to the general public.
- 6) An accounting of the number of task force meetings open to the general public.
- 7) Identification of the person or persons responsible for determining which non-federal employees would be invited to participate in each meeting.
- 8) The criteria used by the task force in determining which non-federal entities would be invited to participate in these meetings or excluded from the meetings.
- 9) Copies of all invitations to participate in task force deliberations and phone records relating to such invitations.
- 10) An accounting of all direct and indirect costs incurred by the task force to date.

ATTACHMENT 2



OFFICE OF THE VICE PRESIDENT
WASHINGTON

May 4, 2001

The Honorable W.J. "Billy" Tauzin, Chairman
The Honorable John D. Dingell, Ranking Minority Member
Committee on Energy and Commerce
House of Representatives
Washington, D.C. 20515

The Honorable Dan Burton, Chairman
The Honorable Henry A. Waxman, Ranking Minority Member
Committee on Government Reform
House of Representatives
Washington, D.C. 20515

Gentlemen: _____

This is in response to the letter of April 19, 2001 from the ranking minority members of your Committees to Mr. Andrew Lundquist, Executive Director of the National Energy Policy Development Group (NEPDG). The letter sought information regarding compliance with the Federal Advisory Committee Act (FACA)(5 U.S.C. Appx. 2) by the NEPDG. Please be advised that the FACA does not apply to the NEPDG, noting especially that FACA by its own terms does not apply to a group "composed wholly of full-time, or permanent part-time, officers or employees of the Federal Government."

As a matter of comity between the legislative and executive branches, with due regard for the constitutional separation of powers and the rights of Americans to petition their government, and reserving all legal authorities and privileges that may apply, we are pleased to provide the enclosed information, which will enable you to conclude independently that the establishment and activities of the NEPDG are not inconsistent with the FACA.

Sincerely,

David S. Addington
Counsel to the Vice President

Enclosure as stated

RESPONSES OF ANDREW LUNDQUIST, EXECUTIVE DIRECTOR
FOR THE NATIONAL ENERGY POLICY DEVELOPMENT GROUP
TO QUESTIONS FROM THE RANKING MINORITY MEMBERS OF THE
HOUSE COMMITTEE ON GOVERNMENT REFORM
AND THE HOUSE COMMITTEE ON ENERGY AND COMMERCE

COMMITTEE QUESTION (1): (1) It is our understanding that you are directing a task force charged with examining and formulating energy policy.

RESPONSE (1): The mission of the National Energy Policy Development Group established on January 29, 2001 is to develop a national energy policy designed to help the private sector, and as necessary and appropriate Federal, State and local governments, promote dependable, affordable, and environmentally sound production and distribution of energy. To carry out that mission, the Group gathers information, deliberates and makes recommendations to the President. Ultimately, the Group is to report its recommended national energy policy to the President.

COMMITTEE QUESTION (1)(a): (a) Please provide a complete list of task force members and staff assigned to the task force, identifying the employer of the member or staff. In the case of federal employees, please identify the department or agency for which the member or staff works.

RESPONSE (1)(a): The National Energy Policy Development Group consists of the following officers of the Federal Government: the Vice President, Secretary of the Treasury, Secretary of the Interior, Secretary of Agriculture, Secretary of Commerce, Secretary of Transportation, Secretary of Energy, Director of the Federal Emergency Management Agency, Administrator of the Environmental Protection Agency, Assistant to the President and Deputy Chief of Staff for Policy, Assistant to the President for Economic Policy, and Assistant to the President for Intergovernmental Affairs. The Vice President may invite the Chairman of the Federal Energy Regulatory Commission to participate. The Vice President may invite the participation of the Secretary of State when the work of the Group involves international affairs and, as appropriate, other officers of the Federal government. The Vice President has invited the Director of the Office of Management and Budget to participate. The Vice President presides at the meetings of the Group and directs its work. The Group is supported by five professionals employed by the Department of Energy and assigned for this purpose to the Office of the Vice President: an Executive Director, a Deputy Director, two Senior Professional Staff Members, and a Professional Staff Member. In addition, an individual appointed as a White House Fellow who is assigned to the Office of the Vice President provides support to the Group.

COMMITTEE QUESTION (1)(b): (b) Please identify any task force members and staff who are not full-time federal employees. In the case of any member or staff who is a part-time federal

employee, identify the hours per week that person works for the federal government and when that person began working for the federal government.

RESPONSE (1)(b): The National Energy Policy Development Group consists solely of officers of the Federal Government. The six individuals identified in Response (1)(a) above who provide support to the Group (hereafter "Group support staff") are all full-time Federal employees. For brief periods the employment status of two of the six individuals (from February 1 through 12, 2001 in the case of the Executive Director, and from February 7 through 12, 2001 in the case of the Deputy Director) was as consultants to the Department of Energy while the Department was processing their entrance-on-duty papers; they had no employer other than the Department of Energy during those brief periods. Please note that the Government officers who are on the National Energy Policy Development Group have assistants at their individual departments and agencies who help them with review and drafting of materials and may attend Group meetings with them. Those departments and agencies could advise on the personnel status of those assistants if it were material.

COMMITTEE QUESTION (1)(c): (c) Please identify any task force member or staff who, at the time of any task force meeting, was serving as a contractor to, or temporary full time employee of, the federal government while on leave from non-federal employment. For each member or staff identified, please include the name of that person's non-federal employer.

RESPONSE (1)(c): None of the government officers who compose the National Energy Policy Development Group, nor any of the individuals on the Group's support staff, was, at the time of any Group meeting, serving as a contractor to, or temporary full time employee of, the federal government while on leave from non-federal employment.

COMMITTEE QUESTION (2): (2) It is our understanding that the task force has conducted a series of "stakeholder meetings" on energy policy and legislation at federal facilities over the past few months.

RESPONSE (2): The National Energy Policy Development Group has not held such meetings. Individuals on the Group support staff have met with many individuals who are not Federal employees to gather information relevant to the Group's work, but such meetings do not involve deliberations or any effort to achieve consensus on advice or recommendations. These meetings by the Group's staff were simply forums to collect individual views rather than to bring a collective judgment to bear. The Group's staff held such meetings with a broad representation of people potentially affected by the Group's work, including individuals involved with companies or industries (e.g., in the electricity, telecommunications, coal mining, petroleum, gas, refining, bioenergy, solar energy, nuclear energy, pipeline, railroad and automobile manufacturing sectors); environmental, wildlife, and marine advocacy; State and local utility regulation and energy management; research and teaching at universities;

research and analysis at policy organizations (i.e., think-tanks); energy consumers, including consumption by businesses and individuals; a major labor union; and about three dozen Members of Congress or their staffs.

COMMITTEE QUESTION (2)(a): (a) Please provide a list of all task force meetings held, including the date and location of each meeting.

RESPONSE (2)(a): The Vice President has convened the National Energy Policy Development Group on the following dates in the year 2001, and all such meetings have been in the White House Complex: January 29, February 9 and 16, March 12 and 19, April 3, 11, and 18, and May 2.

COMMITTEE QUESTION (2)(b): (b) Please describe in detail the purpose of these meetings. For each meeting, please explain if the meeting was conducted in order to obtain advice or recommendations about policy or proposed legislation. Please explain whether each meeting had a fixed agenda and/or a defined purpose.

RESPONSE (2)(b): The National Energy Policy Development Group, consisting only of Government officers, has met at each of its meetings for the purpose carrying out its mission to develop a national energy policy designed to help the private sector, and as necessary and appropriate Federal, State and local governments, promote dependable, affordable, and environmentally sound production and distribution of energy. At those meetings, to carry out its assigned mission, the Group has reviewed relevant information, deliberated, and formulated potential recommendations. With regard to meetings with individuals involving the Group's support staff, please see Response (2).

COMMITTEE QUESTION (2)(c): (c) Please describe the outcome of each meeting. Please explain to what extent each meeting resulted in the formulation of specific proposals or recommendations. Please specify to what extent the task force incorporated or adopted any suggestions or advice received at each meeting from non-federal "stakeholders", or to what extent it modified its proposals based on input received from non-federal "stakeholders" at the meeting.

RESPONSE (2)(c): Each of the National Energy Policy Development Group's meetings to date have advanced its mission as set forth in Response (1). Each of the meetings of the Group's support staff described in Response (2) gathered, in support of the Group's mission, information relevant to the Group's work.

COMMITTEE QUESTION (2)(d): (d) For each task force meeting that has occurred to date, please provide a complete accounting of all attendees. Please include the name and employer of each attendee as well as the name of all clients represented by each person for the purpose of any particular task force meeting. Please indicate if any participants received any compensation for their involvement in a meeting or meetings.

RESPONSE (2)(d): The officers of the Government constituting the National Energy Policy Development Group attended the Group's meetings. The Group's support staff attended the Group's meetings. Other employees on the staff of the Vice President attended the Group's meetings. The Government officers who constitute the National Energy Policy Development Group have assistants at their departments and agencies who attended the Group's meetings with them.

COMMITTEE QUESTION (3): (3) The Federal Advisory Committee Act (FACA) defines an advisory committee as "any committee, board, commission, council, conference, panel, task force, or other similar group, or any subcommittee or other subgroup thereof . . . which is . . . established or utilized by one or more agencies, in the interest of obtaining advice or recommendations for . . . one or more agencies or officers of the Federal government . . ." The Act requires that the meetings of such advisory committees be noticed in advance, open to the general public, and on the record, except under certain limited circumstances.

RESPONSE (3): Section 3(2) of the FACA provides that the term "advisory committee" as used in the FACA excludes "any committee that is composed wholly of full-time, or permanent part-time, officers or employees of the Federal Government." The National Energy Policy Development Group is composed wholly of full-time officers of the Federal Government. Accordingly, the FACA requirements to which Committee Questions (3)(a) through (3)(f) refer do not apply. See also Response (2).

COMMITTEE QUESTION (3)(a): (a) Was advance notice of these task force meetings provided to the general public?

RESPONSE (3)(a): See Response (3).

COMMITTEE QUESTION (3)(b): (b) How many of these task force meetings took place on federal property or involved the attendance of federal personnel?

RESPONSE (3)(b): See Response (3).

COMMITTEE QUESTION (3)(c): (c) Were these meetings open to the general public?

RESPONSE (3)(c): See Response (3).

COMMITTEE QUESTION (3)(d): (d) If these meetings were not open to the general public, why not and under what authority?

RESPONSE (3)(d): See Response (3).

COMMITTEE QUESTION (3)(e): (e) Were any transcripts or detailed minutes of these meetings kept by you or any other attendee or participant?

RESPONSE (3)(e): See Response (3).

COMMITTEE QUESTION (3)(f): (f) If no transcripts or minutes were kept, please explain why not and under what authority?

RESPONSE (3)(f): See Response (3).

COMMITTEE QUESTION (4): (4) As stated previously, we have been informed that only certain "stakeholders" were invited to participate in these meetings.

RESPONSE (4): The National Energy Policy Development Group has not held such meetings. To support the Group in the performance of its mission, one or more of the individuals on the Group's support staff have met with many individuals who are not Federal employees to gather from them information relevant to the Group's work. The non-Federal employees from whom the Group's support staff has thus far sought information constitute a broad range of sources of information; see Response (2).

COMMITTEE QUESTION (4)(a): (a) Was any executive branch agency or any of its personnel responsible in any way for determining who would or would not be invited to participate in these meetings?

RESPONSE (4)(a): See Response (4).

COMMITTEE QUESTION (4)(b): (b) Please provide a detailed explanation of the process by which each non-federal participant in these meetings was determine to be a "stakeholder" in energy policy.

RESPONSE (4)(b): See Response (4).

COMMITTEE QUESTION (4)(c): (c) Please provide a detailed explanation of the process by which the task force decided not to meet with any private citizens or groups.

RESPONSE (4)(c): See Response (4).

COMMITTEE QUESTION (4)(d): (d) Was the governor of any state invited to participate in these meetings? If so, which? If not, why not?

RESPONSE (4)(d): See Response (4).

COMMITTEE QUESTION (4)(e): (e) Were any state public utility commissioners invited to participate in these meetings? If so, which? If not, why not?

RESPONSE (4)(e): See Response (4).

COMMITTEE QUESTION (4)(f): (f) Were any representatives of organized labor invited to participate in these meetings? If so, which? If not, why not?

RESPONSE (4)(f): See Response (4).

COMMITTEE QUESTION (4)(g): (g) Were any representatives of consumer advocacy groups invited to participate in these meetings? If so, which? If not, why not?

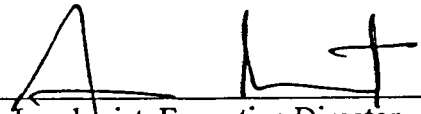
RESPONSE (4)(g): See Response (4).

COMMITTEE QUESTION (4)(h): (h) Was the National Federation of Independent Businesses or any other small business representative invited to participate in these meetings? If not, why not?

RESPONSE (4)(h): See Response (4).

COMMITTEE QUESTION (4)(i): (i) Did the Department of Energy notify any Member of Congress about the task force's meetings prior to the first meeting or invite any Member or congressional staff to attend any of the "stakeholder" meetings?

RESPONSE (4)(i): To the best of my knowledge, no such notifications or invitations by the Department of Energy occurred with regard to any Group support staff meetings with non-Federal employees, nor would the Department of Energy have had a role with regard to such meetings that would have called for the Department of Energy to make such notifications or invitations.



Andrew Lundquist, Executive Director
National Energy Policy Development Group

5/4/01
Date

ATTACHMENT 3

MICHAEL BAHAMUS, FLORIDA
JOE BARTON, TEXAS
FRED UPTON, MICHIGAN
CUFF STEARNS, FLORIDA
PAUL E. GILLMOR, OHIO
JAMES C. GREENWOOD, PENNSYLVANIA
CHRISTOPHER COX, CALIFORNIA
NATHAN DEAL, GEORGIA
STEVE LARCENT, OKLAHOMA
KEVIN B. BURR, NORTH CAROLINA
ED WHITFIELD, KENTUCKY
GREG GANSKE, IOWA
CHARLIE NORWOOD, GEORGIA
BARBARA CUBIN, WYOMING
JOHN EMMAUS, ILLINOIS
HEATHER WALSON, NEW MEXICO
JOHN B. SHADDEG, ARIZONA
CHARLES "CHIP" PICKERING, MISSISSIPPI
VITO FIORELLA, NEW YORK
ROY BLUNT, MISSOURI
TOM DAVIS, VIRGINIA
ED BRYANT, TENNESSEE
ROBERT L. ENRIKLE, JR., MARYLAND
STEVE BUTER, INDIANA
GEORGE RADANOVICH, CALIFORNIA
CHARLES F. ELLIS, NEW HAMPSHIRE
JOSEPH R. PITTS, PENNSYLVANIA
MARY BONO, CALIFORNIA
GREG WALDEN, OREGON
LEE TERRY, NEBRASKA

ONE HUNDRED SEVENTH CONGRESS

U.S. House of Representatives
Committee on Energy and Commerce
Washington, DC 20515-6115

W.J. "BILLY" TAUZIN, LOUISIANA,
CHAIRMAN

April 19, 2001

JOHN D. DINGELL, MICHIGAN
HENRY A. WAXMAN, CALIFORNIA
EDWARD J. MARKEY, MASSACHUSETTS
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RICK BOUCHER, VIRGINIA
EDOUARD TOWNS, NEW YORK
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SHERROD BROWN, OHIO
BART GORDON, TENNESSEE
PETER DEUTSCH, FLORIDA
BOBET L. RUZIC, ILLINOIS
ANNA G. ESCOBAR, CALIFORNIA
BART STUPAK, MICHIGAN
ELIOT L. ENGL, NEW YORK
TOM CANNON, OHIO
ALBERT R. WYNN, MARYLAND
GENE GREEN, TEXAS
KAREN MCCARTHY, MISSOURI
TED STRICKLAND, OHIO
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CHRISTOPHER JOHN, LOUISIANA
JANE RUMMAN, CALIFORNIA

DAVID V. MURVETANO, STAFF DIRECTOR

Mr. Andrew Lundquist
U.S. Department of Energy
Energy Task Force
Forrestal Building
1000 Independence Avenue, S.W.
Washington, D C 20001

Dear Mr. Lundquist:

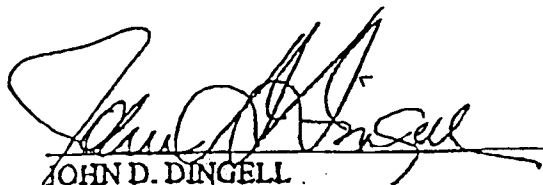
Over the past few months, your task force has reportedly conducted a number of meetings with the goal of developing an energy policy. It is our understanding that these meetings took place at federal facilities with the participation of both federal employees and private citizens and groups, including political contributors. We further understand that the meetings were conducted entirely in private.

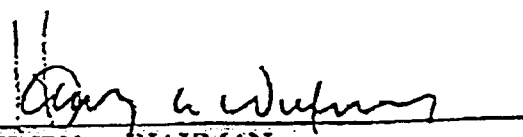
We are concerned that your task force's decision to meet behind closed doors and exclude certain parties from participation in its discussions may violate the letter and the spirit of the Federal Advisory Committee Act (FACA). In order to better understand the task force, and whether it is bound by the FACA, we have enclosed a series of questions relating to the participants, the purpose, the outcome, and the role of federal employees at these meetings. In addition to receiving your responses to these questions, we also would like to receive copies of all documents and records produced or received by the task force in connection with these meetings.

As members of the House committees with primary jurisdiction over federal energy policy and the conduct of the agencies responsible for implementing that policy, we believe the task force must be forthcoming in providing the information we have requested about its operations.

We thank you for your cooperation in this matter and look forward to receiving your responses and the requested material as soon as possible, but in any event by no later than Friday, May 4, 2001.

Sincerely,


JOHN D. DINGELL
RANKING MEMBER
COMMITTEE ON ENERGY AND COMMERCE


HENRY A. WAXMAN
RANKING MEMBER
COMMITTEE ON GOVERNMENT REFORM

Enclosure

Mr. Andrew Lundquist
Page 2

cc: The Honorable W. J. "Billy" Tauzin, Chairman
Committee on Energy and Commerce

The Honorable Dan Burton, Chairman
Committee on Government Reform

Questions for Andrew Lundquist
Regarding
Energy Task Force Meetings

- (1) It is our understanding that you are directing a task force charged with examining and formulating energy policy.
 - (a) Please provide a complete list of task force members and staff assigned to the task force, identifying the employer of the member or staff. In the case of federal employees, please identify the department or agency for which the member or staff works.
 - (b) Please identify any task force members and staff who are not full-time federal employees. In the case of any member or staff who is a part-time federal employee, identify the hours per week that person works for the federal government and when that person began working for the federal government.
 - (c) Please identify any task force member or staff who, at the time of any task force meeting, was serving as a contractor to, or temporary full time employee of, the federal government while on leave from non-federal employment. For each member or staff identified, please include the name of that person's non-federal employer.
- (2) It is our understanding that the task force has conducted a series of "stakeholder meetings" on energy policy and legislation at federal facilities over the past few months.
 - (a) Please provide a list of all task force meetings held, including the date and location of each meeting.
 - (b) Please describe in detail the purpose of these meetings. For each meeting, please explain if the meeting was conducted in order to obtain advice or recommendations about policy or proposed legislation. Please explain whether each meeting had a fixed agenda and/or a defined purpose.
 - (c) Please describe the outcome of each meeting. Please explain to what extent each meeting resulted in the formulation of specific proposals or recommendations. Please specify to what extent the task force incorporated or adopted any suggestions or advice received at each meeting from non-federal "stakeholders", or to what extent it modified its proposals based on input received from non-federal "stakeholders" at the meeting.
 - (d) For each task force meeting that has occurred to date, please provide a complete accounting of all attendees. Please include the name and employer of each attendee as well as the name of all clients represented by each person for the

purpose of any particular task force meeting. Please indicate if any participants received any compensation for their involvement in a meeting or meetings.

- (3) The Federal Advisory Committee Act (FACA) defines an advisory committee as

"any committee, board, commission council, conference, panel, task force, or other similar group, or any subcommittee or other subgroup thereof . . . which is . . . established or utilized by one or more agencies, in the interest of obtaining advice or recommendations for . . . one or more agencies or officers of the Federal government . . ."

The Act requires that the meetings of such advisory committees be noticed in advance, open to the general public, and on the record, except under certain limited circumstances.

- (a) Was advance notice of these task force meetings provided to the general public?
 - (b) How many of these task force meetings took place on federal property or involved the attendance of federal personnel?
 - (c) Were these meetings open to the general public?
 - (d) If these meetings were not open to the general public, why not and under what authority?
 - (e) Were any transcripts or detailed minutes of these meetings kept by you or any other attendee or participant?
 - (f) If no transcripts or minutes were kept, please explain why not and under what authority?
- (4) As stated previously, we have been informed that only certain "stakeholders" were invited to participate in these meetings.
- (a) Was any executive branch agency or any of its personnel responsible in any way for determining who would or would not be invited to participate in these meetings?
 - (b) Please provide a detailed explanation of the process by which each non-federal participant in these meetings was determined to be a "stakeholder" in energy policy.
 - (c) Please provide a detailed explanation of the process by which the task force decided not to meet with any private citizens or groups.

- (d) Was the governor of any state invited to participate in these meetings? If so, which? If not, why not?
- (e) Were any state public utility commissioners invited to participate in these meetings? If so, which? If not, why not?
- (f) Were any representatives of organized labor invited to participate in these meetings? If so, which? If not, why not?
- (g) Were any representatives of consumer advocacy groups invited to participate in these meetings? If so, which? If not, why not?
- (h) Was the National Federation of Independent Businesses or any other small business representative invited to participate in these meetings? If not, why not?
- (i) Did the Department of Energy notify any Member of Congress about the task force's meetings prior to the first meeting or invite any Member or congressional staff to attend any of the "stakeholder" meetings?